

Message Text

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R 200058Z DEC 75
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TO AMEMBASSY BRUSSELS

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E.O. 11652: N/A

TAGS: EGEN, CPRS, BE

SUBJECT: AMERICAN LAWYERS IN BELGIUM: LATEST BELGIAN
GOVERNMENT PROPOSAL

REF: A-223

1. DEPARTMENT HAS REVIEWED DRAFT BELGIAN PROTOCOL AND PROPOSED EMBASSY COMMENTS CONTAINED REPAIR. EMBASSY'S COMMENTS, WHICH WE NOTE CLOSELY PARALLEL A MEMORANDUM ASSEMBLED BY AMERICAN LAWYERS IN BRUSSELS, IS AN EXCELLENT JOB AND IS SATISFACTORY AS U.S. GOVERNMENT COMMENTS ON THE BELGIAN DRAFT.

2. AN IMPORTANT U.S. INTEREST, AS EMBASSY RECOGNIZES, IS TO AVOID ANY APPEARANCE OF A DEROGATION OF U.S. RIGHTS UNDER THE FEN TREATY. WE WOULD THEREFORE NOT WISH TO CONCLUDE AN AGREEMENT WITH GOB BY EXCHANGE OF NOTES ON THIS SUBJECT BUT COULD ACCEPT DELIVERY OF THE PROTOCOL TO THE EMBASSY AS NOTIFICATION OF THE RESULTS OF GOB INTERNAL
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DELIBERATIONS AFTER NEGOTIATIONS WITH AMERICAN LAWYERS.

THE PROTOCOL, AS STATED IN EMBASSY COMMENTS, WOULD NOT AFFECT USG RIGHT TO INVOKE ANY PROVISION OF FEN TREATY IF WE SO DESIRE AT A LATER DATE.

3. TO AVOID IMPLICATION THAT PROTOCOL DEROGATES FROM FEN TREATY RIGHTS, YOU SHOULD DELETE ALL WORDS AFTER THE WORD "CONCERNED" IN THE THIRD SENTENCE OF PARA. 1 OF EMBASSY COMMENTS.

4. EMBASSY'S COMMENTS ON PROTOCOL, AS AMENDED ABOVE, SHOULD BE SHOWN TO REPRESENTATIVES OF THE AMERICAN LEGAL COMMUNITY FOR COMMENT PRIOR TO DELIVERY TO GOB. KISSINGER

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